



November 5, 2012

Senate Energy and Technology Committee
Lansing, Michigan 48912

Re: SB 314

Dear Senators:

The Michigan Environmental Council was established in 1980 and is a coalition of environmental, public health and faith-based groups from across Michigan. We have worked in a variety of areas including waste disposal and energy policy since our inception. We strongly urge your opposition to these bills.

The Michigan Environmental Council strongly opposes SB 314 (S-1). The latest version of the bill not only repeals the current ban on yard clippings going into landfills, but it also prohibits counties from limiting the amount of yard clippings going into landfills from communities located within their counties. This bill will result in more landfills being located within communities across the state of Michigan.

Michigan has spent the last two decade trying to reduce the amount of waste going landfills and especially whenever possible limiting the amount of out-of-state trash going into Michigan landfills. We have dropped from a high of over 30% out-of-state waste in 2006, to less than 22% in 2012. This bill threatens this positive trend.

Michigan can only prohibit waste from out-of-state if it contains items that are prohibited from going to landfills from Michigan residents. By lifting the ban on yard clippings from Michigan residents, we immediate authorize every landfill with landfill gas collection (virtually all major landfills in the state) to accept both yard clippings and yard clippings combined with municipal solid waste from out-of-state jurisdictions. Under U.S. Supreme Court decisions, counties may not prohibit them from doing so.

Under the current version of the bill, counties are also prohibited from restricting yard clippings from communities within their counties. This will result in more landfills being located within the state.

Yard clippings are not trash. When properly handled, yard clippings are good for the environment. That has not changed.

People are going to lose their job - Of critical importance these days is the loss of jobs that will occur due to these bills. These bills will lead to some composting companies going bankrupt, people losing their jobs, and significant losses by those who have financed expensive composting machinery.

These bills will result in more landfills in our communities. Landfills are a risk to drinking water, can be a nuisance and lower property values of nearby homes. Landfill gases are a source of toxic air pollutants. Yard clippings represent between 12-20% of all municipal solid waste.

The added electricity production is not worth it - There has also been some misinformation on the amount of energy that will be generated. Michigan currently only has about 125 megawatts (MW) of landfill gas capacity. Proponent's studies show that adding yard clippings to landfills only increase the production by about 10%. Therefore, adding yard clippings only increases landfill gas energy production by approximate 12 MW (compared to 20,000 MW overall). Even with increases in the number of landfills installing collection systems, Michigan's total potential is likely less than 25 MW. This small amount is not worth the loss of economic activity that the composting industry has brought into our communities.

Lastly, including yard waste in landfills would have a net impact of increasing greenhouse gases into our atmosphere. This is because the breakdown of yard clippings in the low-oxygen landfill setting creates methane instead of carbon dioxide. Methane is a much more powerful greenhouse gas than carbon dioxide (23 times more). This fact, coupled with the relatively low gas collection rate of landfills, leads to a net increase in greenhouse gases even assuming the overly optimistic capture rate included in the bills. The overall projected increase in renewable energy annually is made meaningless by the increase in greenhouse gases.

More greenhouse gases, more landfills and more unemployed workers make these bills bad policy for the State of Michigan. Instead Michigan should be exploring policies that would make us a clean energy leader around the country. We urge members to oppose SB 314.

Sincerely,



James Clift, Policy Director